

UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

MICHAEL J. WARD,	:	
Plaintiff,	:	
	:	
v.	:	C.A. No. 13-738S
	:	
CAROLYN W. COLVIN,	:	
Acting Commissioner of the Social Security	:	
Administration,	:	
Defendant.	:	

REPORT AND RECOMMENDATION

Patricia A. Sullivan, United States Magistrate Judge

The above-captioned case was filed on November 12, 2013. The Court issued a pretrial scheduling order on May 1, 2014, ordering Plaintiff to file a motion to modify, remand or reverse the decision of the Commissioner by July 1, 2014. Plaintiff did not comply with this directive. On July 30, 2014, the Court issued an order for Plaintiff to show good cause within fifteen days as to why the case should not be dismissed for lack of prosecution. Plaintiff was warned that if he did not do so, the Court would recommend to the District Judge that this action be dismissed as to Defendant without prejudice and without costs.

Plaintiff again did not comply with the Court's directive. No response was filed within fifteen days of the Court's July 30 order. In deference to Plaintiff's *pro se* status, the Court waited an additional week before issuing this report and recommendation. The Court now recommends that this action be dismissed as to Defendant without prejudice and without costs.

Any objection to this report and recommendation must be specific and must be served and filed with the Clerk of the Court within fourteen (14) days after its service on the objecting party. See Fed. R. Civ. P. 72(b)(2); DRI LR Cv 72(d). Failure to file specific objections in a timely manner constitutes waiver of the right to review by the district judge and the right to

appeal the Court's decision. See United States v. Lugo Guerrero, 524 F.3d 5, 14 (1st Cir. 2008);
Park Motor Mart, Inc. v. Ford Motor Co., 616 F.2d 603, 605 (1st Cir. 1980).

/s/ Patricia A. Sullivan
PATRICIA A. SULLIVAN
United States Magistrate Judge
August 25, 2014